



# Home Office

**Rt Hon Damian Green MP**  
**MINISTER OF STATE FOR POLICING AND CRIMINAL JUSTICE**

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Sue Mountstevens  
Avon and Somerset Police and Crime Commissioner  
Police Headquarters  
Valley Road  
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*Dear Sue,*

17 OCT 2013

Thank you for your letter of 14 August about the financial costs associated with police injury benefits. I apologise for the delay in responding; I understand that Home Office officials recently met with your team to discuss this and related issues.

You explained your concerns about the impact on your budget of paying police injury benefits. As you are aware, the relevant legislation places the responsibility on police forces to decide on awarding injury benefits to those former officers who qualify, based on appropriate medical assessment. The force is responsible for ensuring that each injury benefit application is judged on its merits with scrutiny from force medical practitioners. I appreciate that the provision of police injury benefits comes at a cost, but I believe it is right that there should be such provision for officers who have been injured in the line of duty.

I would also like to explain what action the Government is taking in this area. To assist forces in dealing with injury benefit cases the Home Office is developing new Police Injury Benefit Regulations, which are expected to be finalised and come into force early next year. The intention behind these regulations is to clarify areas of ambiguity in existing regulations, address certain issues that have been raised by recent caselaw and ensure that the injury benefits system reflects modern policing. For example the new regulations will exclude injuries sustained during normal journeys to and from work when an officer is not on duty, which are covered by the current regulations. The regulations will also mean that injury

benefits will automatically reduce the amount of benefits when an individual reaches state pension age. This addresses the uncertainty you have described around what assumptions might be made about an individual's earning capacity in that situation.

In preparing these regulations officials have held extensive discussions with partners in the Police Negotiating Board and with expert practitioners involved in injury benefits for police forces. I trust that the recent discussion between my officials and staff from your office were constructive in helping to understand some of the broader issues you raised in your letter. I also understand that Chief Constable Mike Cunningham, National Policing Lead for Workforce Development, has asked the College of Policing to consider further work to help forces deal with Police Medical Appeal Boards.

You suggested the possibility of reducing injury benefit payments if a former officer goes on to find new employment. I should point out that forces are able to review injury benefit payments to retired officers; indeed they have a duty to do so at appropriate intervals, to assess whether there has been any change in the individual's earning capacity. The point that has been reinforced by recent cases is that such reviews should be objective, on a case by case basis, and should not revisit the original cause or extent of the injury.

You also raised the generosity of levels of injury benefit awards provided by legislation. As we have always made clear, police officers deserve to have pay and workforce arrangements that recognise the vital role they play in fighting crime and keeping the public safe. Providing an appropriate injury benefits system is part of those arrangements, and it is right that there is a scale of benefits that is designed to give most support to those with the most serious injuries. The new Police Injury Benefit Regulations will further modernise and clarify those arrangements, reflecting the reality of working as a police officer today. I believe that the new regulations, once in force, coupled with fair and robust assessment of injury benefit applications by police forces, will provide the right balance of using taxpayers' money to ensure support for police officers injured in the line of duty.

I hope that this clarifies the Government's position on these matters.

A handwritten signature in black ink, appearing to read 'Damian Green', is positioned above the printed name.

**Rt Hon Damian Green MP**